

CHICAGO TITLE INSURANCE  
10001 S.E. SUNNYSIDE ROAD  
CLACKAMAS, OR 97015  
(503) 653-7300 - Title  
(503) 786-3940 - Customer Service

FAX 653-7763 - Title  
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TELEFAX TO:

PORT OF PORTLAND

ATTENTION:

AMBER

REGARDING:

FAX NO:

944-7038

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OROS-0904/CT (4-92)



Revised to  
include  
Tax Lot Nos.

CHICAGO TITLE INSURANCE COMPANY  
OF OREGON  
AMENDED DOCUMENT GUARANTEE REPORT  
February 14, 2000

10000 SE SUNNYSIDE ROAD  
CLACKAMAS, OREGON 97015  
Telephone: 503-653-7300

Plant Date: February 7, 2000

Order No.: 211901  
Premium: \$300.00

To: The Port of Portland  
121 NW Everett Street  
Portland, Oregon 97209  
ATTN: Suzanne Brooks

**CHICAGO TITLE INSURANCE COMPANY OF OREGON**

hereinafter called the Company, SUBJECT TO THE TERMS AND PROVISIONS OF THE APPLICATION FOR THIS GUARANTEE, THE LIABILITY EXCLUSIONS AND CONDITIONS SET FORTH BELOW AND IN SCHEDULE 'A' AND THE CONDITIONS CONTAINED HEREIN.

**GUARANTEES**

The insured, against actual loss (except attorney's fees or the cost of defense) not exceeding the liability amount stated above which the insured shall sustain by reason of any incorrectness in the assurances set forth in Schedule 'A'.

**LIABILITY EXCLUSIONS AND LIMITATIONS**

1. No guarantee is given or liability assumed with respect to the identity of any party names or referred to Schedule 'A' respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the insured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth above.
3. IN ORDER FOR THIS GUARANTEE TO BE VALID AND EFFECTIVE, THE APPLICATION AND AGREEMENT FOR THE ISSUANCE OF A RECORDED DOCUMENT GUARANTEE EXECUTED BY THE INSURED AND A COPY OF EACH DOCUMENT LISTED AND REFERRED TO IN SCHEDULE 'A' MUST BE ATTACHED HERETO. ALL TERMS AND CONDITIONS OF THE APPLICATIONS ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH IN THIS GUARANTEE.

CHICAGO TITLE INSURANCE COMPANY OF OREGON

BY: Ernest B. Brown  
(Authorized Signature)

Order No. 211901

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Schedule 'A' - continued

RECORDED DOCUMENT GUARANTEE

The assurances referred on the face page are:

That, according to the company's title plant records and those records maintained by the County Recorder known as the Grantee/Grantor indices subsequent to 1901 relative to the following described real property (but without examination of those Company title plant records maintained and indexed by name), there are no recorded Deed, Contracts, Leases or Easements (hereinafter Documents) describing said real property or any portion thereof, other than those listed below, copies of which are attached hereto and made a part hereof, as may be excepted pursuant to the terms of the guarantee application.

A. The following are documents or matters disclosed by documents recorded in the Public records are specifically excluded from the coverage of this guarantee, and the Company assumes no liability for loss or damage by reason of the following:

1. Unpatented mining claims, reservations or exceptions in patents or in the acts authorizing the issuance thereof.
2. Water rights, claims or title to water.
3. Instruments, proceedings or other matters which do not specifically describe said land.
4. Documents pertaining to mineral estates.

B. DESCRIPTION

PLEASE SEE ATTACHED MAP

C. LISTED DOCUMENTS

PLEASE SEE ATTACHED LISTED DOCUMENTS

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## SCHEDULE 'B'

## GUARANTEE CONDITIONS

## 1. Definition of terms.

The following terms when used in this guarantee mean:

- a) 'Land': the land described specifically or by reference, in this guarantee;
- b) 'Public Records': those land records designated by state statutes for the purpose of imparting constructive notice of the matters relating to said land;
- c) 'Date': effective date of this guarantee;
- d) 'The Insured': the party or parties named as the insured in this guarantee, or in a supplemental writing executed by the Company;
- e) 'Mortgage': Mortgage, Deed of Trust, Trust Deed or other security instrument;
- f) 'Lease': any lease or sublease of any estate in the land;
- g) 'Assignment': the transfer of the beneficial ownership of any mortgage or lease;
- h) 'Documents': any Deed, Mortgage, Lease or Assignments

2. Notice of Loss - Limitation of Action. A statement in writing of any loss or damage for which the insured claims the Company is liable under this guarantee shall be furnished to the Company within sixty (60) days after such loss or damage shall have been determined.

3. Payment of Loss - Limitation of Liability.

- a) The liability of this Company under this guarantee shall be limited to the amount of actual loss sustained by the insured because of reliance upon the assurances herein set forth, but in no event shall such liability exceed the amount of the liability as stated on the face page of this Guarantee.
- b) All payments under this Guarantee shall reduce the amount of the liability hereunder pro tanto.
- c) When liability has been fixed in accordance with the conditions of this guarantee, the loss shall be payable within thirty (30) days thereafter.

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4. Arbitration - Unless prohibited by applicable law, either the Company or the insured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. Arbitration pursuant to this guarantee and under the Rules in effect on the date the demand for arbitration is made or, at the option of the insured, the Rules in effect on the effective date of this Guarantee shall be binding upon the parties. The award may include attorney's fees only if the laws of the state in which the land is located permit a court to award attorney's fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the sites of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the County upon request.

5. Guarantee entire contract. No provision or condition of this Guarantee can be waived or changed except by a writing endorsed or attached hereto signed by the President, Vice President, a Secretary, an Assistant Secretary or other validating officer of the Company.
6. If any provision or any part of a provision of this agreement is held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the legality, validity or enforceability of any other provision of this Guarantee.
7. This Guarantee is issued only for the benefit of the named insured and does not provide any other rights or remedies upon any other person or entity.
8. Notices - All notices required to be given the Company and any statement in writing required to be furnished to the Company shall include the number of this Guarantee and shall be addressed to the Company at its principal office:

CHICAGO TITLE INSURANCE COMPANY  
808 S.W. Fifth Ave., Suite 930  
Portland, OR 97204

1. DOCUMENT TYPE: Basement  
Recorded: December 19, 1901  
Book: 286  
Page: 249  
Grantor: (b) (6), et al  
Grantee: Oregon Railroad and Navigation Co.  
Affects: Strip adjacent to Tax Lot '39'
2. DOCUMENT TYPE: Bargain and Sale Deed  
Recorded: March 6, 1903  
Book: 295  
Page: 355  
Grantor: (b) (6)  
Grantee: Portland Manufacturing Co.  
Affects: Tax Lot '24'
3. DOCUMENT TYPE: Bargain and Sale Deed ←  
Recorded: May 23, 1903  
Book: 307  
Page: 190  
Grantor: Hartman, Thompson & Powers  
Grantee: Port of Portland  
Affects: Tax Lot '41'
4. DOCUMENT TYPE: Quitclaim Deed  
Recorded: October 8, 1903  
Book: 310  
Page: 369  
Grantor: (b) (6)  
Grantee: Port of Portland  
Affects: Tax Lots '39', '99' and '124'
5. DOCUMENT TYPE: Deed  
Recorded: February 12, 1906  
Book: 349  
Page: 413  
Grantor: (b) (6)  
Grantee: Portland Manufacturing Co.  
Affects: Tax Lot '41'
6. DOCUMENT TYPE: Deed  
Recorded: March 22, 1906  
Book: 359  
Page: 46  
Grantor: (b) (6), et al  
Grantee: Portland Manufacturing Co.  
Affects: Tax Lot '41'
7. DOCUMENT TYPE: Deed  
Recorded: November 29, 1907  
Book: 410  
Page: 41  
Grantor: Western Timber Co.  
Grantee: Western Cooperage Co.  
Affects: Tax Lot '45'

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8. DOCUMENT TYPE: Quitclaim Deed  
Recorded: March 4, 1914  
Book: 651  
Page: 168  
Grantor: (b) (6) et al  
Grantee: Portland Manufacturing Co.  
Affects: Tax Lot '41'
9. DOCUMENT TYPE: Lease  
Recorded: October 20, 1914  
Book: 669  
Page: 262  
Grantor: Port of Portland  
Grantee: Western Cooperage Co.  
Affects: Tax Lot '40'
10. DOCUMENT TYPE: Deed  
Recorded: October 30, 1924  
Book: 970  
Page: 460  
Grantor: Western Cooperage Co.  
Grantee: City of Portland  
Affects: Portion of street adjacent to Tax Lots '39' and '45'
11. DOCUMENT TYPE: Warranty Deed  
Recorded: September 18, 1930  
Book: 95  
Page: 262  
Grantor: Portland Manufacturing Co.  
Grantee: Portland Wood Products Co.  
Affects: Tax Lot '41'
12. DOCUMENT TYPE: Warranty Deed  
Recorded: February 4, 1931  
Book: 114  
Page: 106  
Grantor: Portland Manufacturing Co.  
Grantee: Oregon-Washington Plywood Co.  
Affects: Tax Lot '41'
13. DOCUMENT TYPE: Lease  
Recorded: February 4, 1931  
Book: 114  
Page: 109  
Grantor: Portland Wood Products Co.  
Grantee: Oregon-Washington Plywood Co.  
Affects: Tax Lot '41'

(Continued)

14. DOCUMENT TYPE: Cancellation Lease  
Recorded: June 17, 1932  
Book: 176  
Page: 391  
Grantor: Oregon-Washington Plywood Co.  
Grantee: Portland Manufacturing Co.  
Affects: Tax Lot '41'
15. DOCUMENT TYPE: Deed  
Recorded: June 17, 1932  
Book: 176  
Page: 394  
Grantor: Portland Wood Products Co.  
Grantee: Portland Manufacturing Co.  
Affects: Tax Lot '41'
16. DOCUMENT TYPE: Bill of Sale  
Recorded: June 17, 1932  
Book: 176  
Page: 396  
Grantor: Oregon-Washington Plywood Co.  
Grantee: Portland Manufacturing Co.  
Affects: Tax Lot '41'
17. DOCUMENT TYPE: Easement  
Recorded: July 18, 1941  
Book: 625  
Page: 234  
Grantor: Port of Portland  
Grantee: Portland General Electric  
Affects: Tax Lot '39'
18. DOCUMENT TYPE: Right of Way  
Recorded: May 9, 1947  
Book: 1170  
Page: 325  
Grantor: Port of Portland  
Grantee: City of Portland  
Affects: Tax Lot '124'
19. DOCUMENT TYPE: Bargain and Sale Deed  
Recorded: December 11, 1950  
Book: 1448  
Page: 521  
Grantor: Port of Portland  
Grantee: Portland Manufacturing Co.  
Affects: Tax Lots '99' and '124'

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(Continued)



20. DOCUMENT TYPE: Bargain and Sale Deed  
Recorded: May 11, 1953  
Book: 1600  
Page: 181  
Grantor: Port of Portland  
Grantee: (b) (6)  
Affects: Tax Lot '39'
21. DOCUMENT TYPE: Bargain and Sale Deed  
Recorded: March 5, 1954  
Book: 1647  
Page: 126  
Grantor: Western Cooperage, Inc.  
Grantee: Western Cooperage Co.  
Affects: Tax Lot '45'
22. DOCUMENT TYPE: Warranty Deed  
Recorded: October 2, 1957  
Book: 1865  
Page: 185  
Grantor: Western Cooperage Co.  
Grantee: Western Associates  
Affects: Tax Lot '45'
23. DOCUMENT TYPE: Quitclaim Deed  
Recorded: April 30, 1958  
Book: 1895  
Page: 278  
Grantor: Siegfried, Theodore  
Grantee: Western Associates  
Affects: Tax Lot '45'
24. DOCUMENT TYPE: Bargain and Sale Deed  
Recorded: September 10, 1964  
Book: 125  
Page: 328  
Grantor: Portland Manufacturing Co.  
Grantee: Portland Lumber Mills, Inc.  
Affects: Tax Lot '41'
25. DOCUMENT TYPE: Quitclaim Deed  
Recorded: September 22, 1969  
Book: 698  
Page: 1177  
Grantor: (b) (6)  
Grantee: Western Associates  
Affects: Tax Lot '45'

(Continued)

26. DOCUMENT TYPE: Quitclaim Deed  
Recorded: April 2, 1971  
Book: 780  
Page: 36  
Grantor: (b) (6) et al  
Grantee: West Coast Orient Co.  
Affects: Tax Lot '45'
  
27. DOCUMENT TYPE: Special Warranty Deed  
Recorded: January 22, 1975  
Book: 1024  
Page: 1650  
Grantor: Western Associates  
Grantee: West Coast Orient Co.  
Affects: Tax Lot '45'
  
28. DOCUMENT TYPE: Bargain and Sale Deed  
Recorded: August 30, 1977  
Book: 1203  
Page: 2220  
Grantor: Brand-S Corp.  
Grantee: Brand-S Lumber Mills  
Affects: Tax Lot '41'
  
29. DOCUMENT TYPE: Warranty Deed  
Recorded: July 24, 1978  
Book: 1281  
Page: 1729  
Grantor: Brand-S Lumber Co.  
Grantee: Menasha Corp.  
Affects: Tax Lot '124'
  
30. DOCUMENT TYPE: Warranty Deed  
Recorded: July 24, 1978  
Book: 1281  
Page: 1731  
Grantor: Menasha Corp.  
Grantee: (b) (6)  
Affects: Tax Lot '124'
  
31. DOCUMENT TYPE: Quitclaim Deed  
Recorded: February 15, 1979  
Book: 1331  
Page: 27  
Grantor: Fibron Corp.  
Grantee: PDC  
Affects: Tax Lots '99' and '124'

(Continued)

32.	DOCUMENT TYPE:	Warranty Deed
	Recorded:	February 15, 1979
	Book:	1331
	Page:	34
	Grantor:	Brand-S Lumber Co.
	Grantee:	PDC
	Affects:	Tax Lots '99' and '124'
33.	DOCUMENT TYPE:	Deed
	Recorded:	April 4, 1980
	Book:	1431
	Page:	1792
	Grantor:	West Coast Lumber Operations Co.
	Grantee:	PDC
	Affects:	Tax Lot '45'
34.	DOCUMENT TYPE:	Deed
	Recorded:	December 2, 1980
	Book:	1487
	Page:	820
	Grantor:	(b) (6)
	Grantee:	PDC
	Affects:	Tax Lot '124'
35.	DOCUMENT TYPE:	Quitclaim Deed
	Recorded:	April 12, 1990
	Book:	2291
	Page:	2485
	Grantor:	PDC
	Grantee:	Division of State Lands
	Affects:	Tax Lots '39', '41', '45', '99' and '124'
36.	DOCUMENT TYPE:	Quitclaim Deed
	Recorded:	April 12, 1990
	Book:	2291
	Page:	2490
	Grantor:	PDC
	Grantee:	Division of State Lands
	Affects:	Tax Lots '39', '41', '45', '99' and '124'
37.	DOCUMENT TYPE:	Quitclaim Deed
	Recorded:	April 12, 1990
	Book:	2291
	Page:	2497
	Grantor:	Crawford Street Corp.
	Grantee:	Division of State Lands
	Affects:	Tax Lots '39', '41', '45', '99' and '124'

(Continued)

38. DOCUMENT TYPE: Quitclaim Deed  
Recorded: April 12, 1990  
Book: 2291  
Page: 2508  
Grantor: Division of State Lands  
Grantee: PDC  
Affects: Tax Lots '39', '41', '45', '99' and '124'
39. DOCUMENT TYPE: Quitclaim Deed  
Recorded: April 12, 1990  
Book: 2291  
Page: 2515  
Grantor: Division of State Lands  
Grantee: PDC  
Affects: Tax Lots '39', '41', '45', '99' and '124'
40. DOCUMENT TYPE: Bargain and Sale Deed  
Recorded: April 30, 1990  
Book: 2296  
Page: 2824  
Grantor: (b) (6)  
Grantee: USNA, Trustee  
Affects: Tax Lot '39'
41. DOCUMENT TYPE: Option  
Recorded: April 14, 1994  
Recorder's Fee No.: 94-059365  
Grantor: PDC  
Grantee: Trust for Public Land  
Affects: Tax Lots '39', '41', '99' and '124'
42. DOCUMENT TYPE: Option  
Recorded: December 29, 1994  
Recorder's Fee No.: 94-186791  
Grantor: PDC  
Grantee: Trust for Public Land  
Affects: Tax Lots '39', '41', '45', '99' and '124'
43. DOCUMENT TYPE: Sewer Easement  
Recorded: December 30, 1994  
Recorder's Fee No.: 94-187497  
Grantor: PDC  
Grantee: City of Portland  
Affects: Tax Lot '99'
44. DOCUMENT TYPE: Bargain and Sale Deed  
Recorded: February 28, 1996  
Recorder's Fee No.: 96-03702  
Grantor: PDC  
Grantee: Trust for Public Land  
Affects: Tax Lots '39', '41', '45', '99' and '124'

(Continued)

45. DOCUMENT TYPE: Bargain and Sale Deed  
Recorded: February 28, 1996  
Recorder's Fee NO.: 96-03703  
Grantor: Trust for Public Land  
Grantee: METRO  
Affects: Tax Lots '39', '41', '45', '99' and '124'

END OF REPORT

EB/rjl  
May 25, 2000